

REMARKS

Claims 1-23 are pending in this application. Claims 18, 19 and 21 are currently amended. Claims 22 and 23 are new. No new matter has been introduced.

The Examiner rejected claims 18-21 under 35 USC Section 101 as directed to non-statutory subject matter. The Examiner's rejection is respectfully traversed. Although Applicant disagrees that claims 18-21 were directed to non-statutory subject matter, claim 18 has been amended in order to expedite prosecution. In particular, claim 18 has been amended to recite, "said processor being configured to execute code to cause the network component to ..." As such, claim 18 is clearly tied to a particular machine, and thus satisfies the first prong of the "machine-or-transformation" test. Claims 19-21 depend from claim 18, and are directed to statutory subject matter at least by virtue of their dependencies. New claim 22 recites, "[a] computer readable media whose contents cause a processor to execute instructions to cause a network component to ..." As such, claim 22 is tied to a particular machine, and is therefore believed to be directed to statutory subject matter.

The Examiner rejected claims 1, 3-8 and 10-20 under 35 USC Section 103(a) as obvious over Benveniste (US Pub. No. 2004/0264397 A1) in view of Meier (US Pub. No. 2004/0103282). The Examiner rejected claims 2, 9 and 21 under 35 USC Section 103(a) as obvious over Benveniste and Meier in further view of Smith (US Pub. No. 2003/0126244). The Examiner's rejections are respectfully traversed. As an initial matter, it is not conceded that the references qualify as prior art and the right to swear behind the references is respectfully reserved.

Turning to the language of the claims, independent claim 1 recites, "[a] method to determine in a network component when to provide service to client devices operating in power-saving mode in a wireless network, said method comprising: receiving requests for service ... including a scheduled request received from a first one of the client devices and an unscheduled request received from a second one of the client devices, said network component being informed of said scheduled request by a field of a traffic specification format being set to a first value, said network component being informed of said unscheduled request by said field of said traffic specification format being set to a second value different from said first value."

Independent claim 8 similarly recites, “said device being informed of said scheduled request by a field of a traffic specification format being set to a first value, said device being informed of said unscheduled request by said field of said traffic specification format being set to a second value different from said first value.” Independent claim 18 similarly recites, “said network component being informed of said scheduled request by a field of a traffic specification format being set to a first value, said network component being informed of said unscheduled request by said field of said traffic specification format being set to a second value different from said first value.” New independent claim 22 similarly recites, “become informed of the scheduled request based on a field of a traffic specification format being set to a first value; become informed of the unscheduled request by said field of said traffic specification format being set to a second value different from said first value.”

The Examiner concedes “said network component being informed of said scheduled request by a field of a traffic specification format being set to a first value, said network component being informed of said unscheduled request by said field of said traffic specification format being set to a second value different from said first value,” is not disclosed by Benveniste. The Examiner relies on the table appearing in Meier below paragraph 470, which is a table for a Subnet Context Manager Advertisement Reply Message, and to Unscheduled Flag Bit 14, which is set ON in unscheduled advertisement messages. The Subnet Context Manager of Meier periodically transmits advertisement reply messages and access points (APs) discover the active SCM for a subnet by monitoring the advertisements. See Meier paragraph 387. It appears the unscheduled flag of Meier is set when a node requests an advertisement. See Meier paragraph 388. Thus, the unscheduled field of Meier appears to indicate whether the advertisement is a periodic advertisement or a requested advertisement. This is not the same thing as a field of a traffic specification format which indicates whether a client request is scheduled request or an unscheduled request, and thus the combination of Benveniste with Meier would not achieve the claimed invention. Smith does not cure the deficiencies of Benveniste. Thus, Benveniste, alone or in combination with Meier and Smith, does not teach, suggest, motivate or otherwise render obvious a field of a traffic specification format which indicates whether a client request is a scheduled request or an unscheduled request.

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Claims 2-7 depend from claim 1. Claims 9-17 depend from claim 8, claims 19-21 depend from claim 18 and claim 23 depends from claim 22. Accordingly, claims 1-23 are not rendered obvious by Benveniste alone or in combination with Meier and Smith.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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